

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

CLERKS OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED
4/15/2020

JULIA C. DUDLEY, CLERK
BY: s/ CARMEN AMOS
DEPUTY CLERK

UNITED STATES OF AMERICA and
THE COMMONWEALTH OF VIRGINIA,
ex. rel. Matthew A. Bolinger, M.D.,

Plaintiffs,

v.

CENTRA HEALTH, INC. and
BLUE RIDGE EAR, NOSE, THROAT,
& PLASTIC SURGERY, INC.,

Defendants.

Civil Action No. 6:16-CV-00033

INTERVENTION AND DISMISSAL ORDER

Before the Court is the Notice of Intervention for Settlement Purposes filed by the United States and the Commonwealth of Virginia, and the Joint Stipulation of Dismissal filed by the United States, the Commonwealth of Virginia, and Relator Matthew A. Bolinger, M.D., pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), the Settlement Agreement executed with Defendant Centra Health, Inc., Centra Medical Group. LLC, and Southside Community Hospital, Inc., and the Settlement Agreement executed with Defendant Blue Ridge Ear, Nose, Throat & Plastic Surgery, Inc.

For good cause shown, **IT IS HEREBY ORDERED**

- (1) The United States and the Commonwealth of Virginia are granted leave to intervene in this case for settlement purposes;
- (2) Relator's claims alleged in the Complaint are dismissed with prejudice;
- (3) The claims by the United States or the Commonwealth of Virginia against Defendant Centra Health, Inc., Centra Medical Group. LLC, or Southside Community Hospital, Inc. for the Covered Conduct described in Recital Paragraphs E and G of the Centra Agreement are dismissed with prejudice;

- (4) The claims by the United States or the Commonwealth of Virginia against Defendant Blue Ridge ENT for the Covered Conduct described in Recital Paragraph D of the Blue Ridge ENT Agreement are dismissed with prejudice; and
- (5) All claims of the United States or the Commonwealth of Virginia other than claims for the Covered Conduct described in the above referenced Settlement Agreements are dismissed without prejudice.

This Order does not dismiss any claims reserved by the terms of the Settlement Agreements or as contained in separate agreements, if any, by and among any of the parties.

The Clerk is directed to unseal the case, strike it from the active docket, and send a file-stamped copy of the Joint Stipulation of Dismissal and executed Order to counsel for the United States.

It is so **ORDERED**.

ENTERED: This 15th day of April, 2020.



NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE